

**MINUTES**  
**IN THE UNITED STATES DISTRICT COURT FOR THE**  
**MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION**

HON. CHARLES S. COODY, MAG JUDGE AT Montgomery, Alabama

DATE COMMENCED: 11/13/06 AT 9:01 a.m. to 10:01 a.m.

DATE COMPLETED: 11/13/06 TO Digital Recorded

**UNITED STATES OF AMERICA**

**VS.**

**RONALD MCQUEEN**

Defendant

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**CASE NO. 2:06CR-198-WKW**

**GOVERNMENT**

Atty. Tommie Hardwick

**APPEARANCES:**

**DEFENDANT**

\* Atty. Denise Simmons  
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**COURT OFFICIALS PRESENT:**

**Court Room Deputy:** Wanda Stinson

**LAW CLERK:** Wynn D Allen

**Court Reporter:** James Dickens

**( ) NON-JURY TRIAL**

**(X) OTHER PROCEEDINGS: EVIDENTIARY HEARING RE: MOTION TO SUPPRESS**

**SEE MINUTES ATTACHED**

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
<b>Description</b>	Suppression Hrg. 06cr198-WKW-CSC USA v. Ronald McQueen		
<b>Date</b>	11/13/2006	<b>Location</b>	Courtroom 4B
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
9 :01:27 AM	Court	Court convenes; parties present as noted; Discussion as to the search warrants and who has the burden of proof;	
9 :01:55 AM	Atty. Hardwick	Calls Detective. T. D. James; witness sworn and seated; Employed the MPD; Discussion as to knowledge and investigation of the deft ; Discussion as to information given by the confidential informant (Willie Wingard) ; Discussion as to residence of the deft; Discussion as to outstanding warrants of the deft; Discussions of drug purchases from the deft and surveillance of the deft; Discussion of the arrest incident of the deft and the execution of the search warrant of the residence at 8833 Ashland Park Drive;	
9 :20:27 AM	Court	Why was to the warrant only for documents?	
9 :20:29 AM	Witness	Response;	
9 :20:44 AM	Atty. Hardwick	Cont'd testimony; Discussion of items found at the residence; Discussions as to surveillance and search of the Windsor location; Discussion of items found at the Windsor location;	
9 :25:51 AM	Atty. Simmons	Cross - examination; Discussion of the confidential informant (Willie Wingard); Discussion of the outstanding warrants of the deft; Discussion of the surveillance of the deft; Discussions regarding the document search warrant;	
9 :35:05 AM	Atty. Hardwick	Re- Direct; Discussion as to the traffic stop of the deft on Cherry Street;	
9 :35:39 AM	Court	Witness is excused;	
9 :35:43 AM	Atty. Hardwick	Calls Sgt. Mike Drummond; Witness is sworn and seated; Employed MPD Narcotics Division; Discussion of the arrest incident of the deft at the Cherry Street location;	
9 :41:57 AM	Atty. Simmons	Cross-examination; Discussion as to contact with the confidential informant;	
9 :42:27 AM	Atty. Hardwick	Re- direct;	
9 :44:06 AM	Atty. Simmons	Re- Cross examination;	
9 :44:21 AM	Court	Witness is excused;	
9 :44:27 AM	Atty. Hardwick	Govt. rests;	
9 :44:35 AM	Atty. Simmons	Calls Brenda Diane Waters, mother of the deft; witness is sworn and seated; Discussion as to the execution of the search warrant at 2200 Windsor Avenue;	
9 :48:04 AM	Atty. Hardwick	Cross - examination; Discussions regarding consent of the search at 2200 Windsor;	
9 :53:49 AM	Court	Witness is excused;	
9 :53:58 AM	Atty. Simmons	Deft rests;	
9 :54:05 AM	Court	Would like to hear from Officer DrummondQuestion as to the Officer who contained the consent;	

9 :54:11 AM	Atty. Hardwick	No, Officer Hayes, for the residence?
9 :54:18 AM	Court	The consent to search from Larry Mitchell;
9 :54:21 AM	Atty. Hardwick	That was another officer that was at the Windsor location, Sgt Drummond was at the Ashland location; That officer is not present;
9 :54:41 AM	Court	Questions as to how consent was contained;
9 :54:52 AM	Atty. Hardwick	Response;
9 :54:59 AM	Court	How did they get into the residence;
9 :55:01 AM	Atty. Hardwick	They knocked on the door and a lady came to the door and they asked her if she lived there and she said no; They wanted to talk with someone who did and that's how they were lead to Mr. Mitchell;
9 :55:23 AM	Court	Mr. Mitchell was in his room in his bed;
9 :55:39 AM	Court	Discussion as to the motion to suppress regarding the information is stale;
9 :55:51 AM	Atty. Simmons	Response; Discussion as to June 2006 matter;
9 :56:16 AM	Court	There is no staleness problem here?
9 :56:25 AM	Atty. Simmons	Agrees;
9 :56:32 AM	Court	Discussions as to probable to search vehicle;
9 :56:51 AM	Atty. Simmons	Response;
9 :57:00 AM	Court	Response; Discussion as to the claim of scope of consent;
9 :58:33 AM	Atty. Hardwick	Response;
10:00:31 AM	Atty. Simmons	Response;
10:00:59 AM	Court	Response;
10:01:06 AM	Atty. Simmons	Response;
10:01:38 AM	Court	Court will take matters under advisement; court is recessed.

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**CASE NO. 2:06CR-198-WKW**

**WITNESS LIST:**

**GOVERNMENT**

1. Detective T. D. James
2. Michael Drummond

**DEFENDANT**

1. Ms. Brenda Diane Waters